

APR. 16. 2002 1:40PM

MOFO 28TH FL

NO. 141

P. 1

MORRISON & FOERSTER LLP

Attorneys at Law
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522



To: U.S. Patent & Trademark Office

Facsimile: 703-746-4060
Telephone: 703-308-1202

From: Stephen C. Durant

Date: April 16, 2002
Time: 12:32 PM

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**RE: U.S. Pat. Appln. No. 09/747,602 filed 12/22/2000; Applicant: Kent GILSON; Title: VIVA;
Atty. Docket No.: 404332000200**

Dear Sir:

Pursuant to a conversation today with the Office and per your request, attached are the following documents:

- 1) Notice to File Corrected Application Papers dated April 3, 2002;**
- 2) Response to Notice to File Corrected Application Papers filed August 29, 2001, including the missing Abstract and a copy of the return postcard as date-stamped received by the Office on September 10, 2001.**

After your review, please forward a withdrawal notice for the Notice to File Corrected Application Papers dated April 3, 2002.

Sincerely,

Stephen C. Durant, Reg. No. 31,506

APR. 16. 2002 1:40PM

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NO. 141

PeP. 2

GAPE

APR 16 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20230
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/747,602	12/22/2000	Kent Gilson	404332000200

CONFIRMATION NO. 8247

FORMALITIES LETTER



0000000007774655

Stephen C. Durant
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482

RECEIVED

APR 8 - 2002

MORRISON & FOERSTER

Date Mailed: 04/03/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

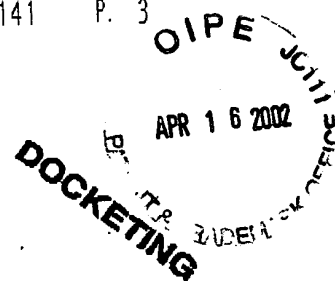
PART 2 - COPY TO BE RETURNED WITH RESPONSE

APR. 16. 2002 1:40PM

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NO. 141

P. 3



Attorney Docket: 404332000200

Mailing Date: August 29, 2001

USSN: 09/747,602

Applicant(s): Kent L. GILSON

Filing Date: December 22, 2000

Title: VIVA

Papers enclosed:

- ☒ Transmittal Form with Certificate of Express Mail No. EL467929399US - 1 Page
- ☒ Fee Transmittal - 1 Page (*In Duplicate*)
- ☒ Response to Notice to File Corrected Application Papers Under 37 C.F.R. § 1.136(a) - 2 Pages
- ☒ Abstract - 1 Page
- ☒ Copy of Notice to File Corrected Application Papers - 1 Page
- ☒ Petition of Extension of Time Under 37 C.F.R. § 1.136(a) - 2 Pages
- ☒ This Return Receipt Postcard

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sf-10843C

RECEIVED BY THE U.S. PATENT AND TRADEMARK OFFICE

Attorney Docket: 404332000200

Mailing Date: August 29, 2001

USSN: 09/747,602

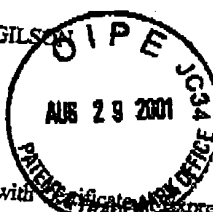
Filing Date: December 22, 2000

Applicant(s): Kent L. GILSON

Title: VIVA

Papers enclosed:

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- ☒ Fee Transmittal - 1 Page (*In Duplicate*)
- ☒ Response to Notice to File Corrected Application Papers Under 37 C.F.R. § 1.136(a) - 2 Pages
- ☒ Abstract - 1 Page
- ☒ Copy of Notice to File Corrected Application Papers - 1 Page
- ☒ Petition of Extension of Time Under 37 C.F.R. § 1.136(a) - 2 Pages
- ☒ This Return Receipt Postcard



SEP 10 2001

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NO. 141 P. 4

PTO/SB/21 (08-00)
 Approved for use through 10/31/02. OMB 0851-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number 09/747,602
 Filing Date December 22, 2000
 First Named Inventor Kent L. GILSON
 Group Art Unit 2641
 Examiner Name To Be Assigned
 Attorney Docket No. 404332000200

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
☐ Fee Attached
☒ Amendment / Reply - 2 Pages
☐ After Final
☐ Affidavits/declarations
☒ Extension of Time Request - 2 pages
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/ Incomplete Application
☐ Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
- ☐ Assignment Papers (for an Application)
☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Prosecution by Assignee and Power of Attorney
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____
- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
- Other Enclosure(s) (please identify below):
 1. Response to Notice to File Corrected Application Papers Under 37 C.F.R. § 1.136(a) - 2 pages
☒ 2. Abstract - 1 Page
 3. Copy of Notice to File Corrected Application Papers - 1 page
 4. Return Receipt Postcard
- Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name Stephen C. Durant
 Reg. No. 31,508
 Morrison & Foerster LLP
 425 Market Street
 San Francisco, CA 94105-2482
 Signature *Stephen C. Durant*
 Date August 29, 2001

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL467829399US

Date of Deposit: August 29, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

C. Wilson
 C. Wilson

Received from <415 2687522> at 4/16/02 4:42:38 PM [Eastern Daylight Time]
 Time will vary depending upon the needs of the individual case. Any comments on the amount of time you
 Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED
 By Postal Application, Washington, DC 20231.

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P. 5

APR 16 2002

PTO/SA/17-09-001

Approved for use through 10/31/2002. OMB 0837-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$55.00

Complete if Known.

Application Number	09/747,602
Filing Date	December 22, 2000
First Named Inventor	Kent L. GILSON
Examiner Name	To Be Assigned
Group Art Unit	2641
Attorney Docket No.	404332000200

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 03-1952

Deposit Account Name: Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	208	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

2. EXTRA CLAIM FEES

2. EXTRA CLAIM FEE			Extra Claims	Fee from below	Fee Paid
Total Claims	20	-20 =	0	x	= \$0.00
Independent Claims	3	-3 =	0	x	= \$0.00
Multiple Dependent					= \$0.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	50	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	50	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	\$55.00
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Sheet	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid \$55.00

SUBTOTAL (3)

(\$55.00

SUBMITTED BY

Name (Print/Type)

Stephen C. Aurant

Signature

Registration No.
(Attorney/Agent)

31,506

Complete (if applicable)

Telephone

(415) 268-7000

Date

August 29, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2035.

Patent Fee Statement: This form is submitted to the U.S. Patent and Trademark Office. Fees will be charged depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be included on this form. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 2031, Washington, DC 20531.

Received from <415 2687522> at 4/16/02 4:42:38 PM [Eastern Daylight Time]

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NO. 141 P. 11

Page 1 of 1

APR 16 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/747,602	05/14/2001	Kent Gilson	404332000200

CONFIRMATION NO. 8247

FORMALITIES LETTER

OC000000008178399

Stephen C. Durant
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482

Date Mailed: 06/13/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

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A copy of this notice MUST be returned with the reply.

Ruth. Berne

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE